

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 25, 2013

5:30 P.M.

AGENDA

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent:

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on April 11, 2013 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 24, 2013 in the amount of \$_____ are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of Marcy 14 – March 26, 2013
- Report of Fire and Ambulance Responses for the week of April 11 – April 24, 2013
- Report from the Building Inspector's Office February 4 – April 22, 2013
- Statements of cash receipts from the Library from March 27 - April 9, 2013
- Statement from the City Clerk's Office of all monies received during the month of March 2013 in the total amount of \$12,675.34
- Report of Public Hearing held by the Zoning Board of Appeals on April 15, 2013
- Report from the Parking Violations Bureau for March 2013
- Finance Department Statement of Revenue and Expenditures for the month of March 2013

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$_____ are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

6. PERSONS ADDRESSING COUNCIL:

7. OTHER ITEMS:

Motion to remove items 7A, 7B, 7C and 7D from the Table.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

A. RESOLVED: In accordance with the request therefore the Common Council approves The Pepper located at 13 City Hall Place to use two parking spaces in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2013 – September 30, 2013.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves Irises Café & Wine Bar located at 20-22 City Hall Place to use the parking spaces in front of 16-24 City Hall Place (Irises Café Wine Bar and DeLish by Irises) for outdoor dining seating. The owners would like to use the concrete barriers as in past years. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2013 – September 30, 2013.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request from Olive Ridley's, the Common Council authorizes the use of two parking spaces in front of Olive Ridley's for outdoor seating between May 11 and October 1, 2013, subject to established City Policy and Public Works schedule.

By Councilor _____; Seconded by Councilor _____

Motion to amend correcting dates.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

RESOLVED: In accordance with the request therefore the Common Council approves Olive Ridley's located at 37 Court Street to use the parking spaces in front of their establishment for outdoor dining seating. The owners would like to use the concrete barriers as in past years. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2013 – September 30, 2013.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves Patricia Dimon to hold the CancerBGone 5k Splash, a Zumbathon at the City Recreation Center and a one mile race on US Oval to benefit the Fitzpatrick Cancer Center on August 10, 2013. Runners for the 5k Splash will run from the Terry Gordon Bike Path to the City Beach using Bridge St, City Hall Place, Cumberland Ave, Margaret Street and the Heritage Trail.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H3410.36 “2011 Public Service Building Improvements” based on the request from the Superintendent of Public Works to reallocate a portion of the cost for lighting improvements to provide for furnace repairs at the public works facility.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

F. ADOPTION OF LOCAL LAW P-1 OF 2013

RESOLVED: Local Law P-1 of 2013 amending City Code § Section **257-15 C** and setting water service rates and enacting regulations for levy and collection of water charges. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

G. RESOLVED: In accordance with the request therefore the Common Council approves a license for operation of the Information Booth to “Smooth Moves” for the May-September 2013 season (with a lease holder’s option of extending up to 2 additional seasons) at a fee of \$1,800 and that the Mayor be authorized to sign a lease agreement.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

H. RESOLVED: In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period February 1 to February 28, 2012 in the amount of \$5,129.57. The percentage of write-offs for this period is .25%.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

I. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy Manager MLD to advertise for sealed bid for PMLD BID NO. 2013-5-1 “Purchase Revenue Electric Meters.” Bid opening date: May 21, 2013 at 11:00 am.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign a subordination agreement for a property located at 73 Miller Street owned by Deborah L. Colson.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign a subordination agreement for a property located at 53 Johnson Ave owned by Tina Mitchell Midgett.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

K. RESOLVED: In accordance with the request therefore the Common Council approves Seth Silver of 40 Trafalgar Drive to close down part of Trafalgar Drive on June 29, 2013 from 11 am to 7 pm to have a safe area for their fourth annual block party.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

L. RESOLVED: In accordance with the request therefore the Common Council approves MLD, on behalf of SUNY Police Chief Sabo, to set the traffic light on Rugar Street by Leonard Avenue to flashing yellow mode from Friday afternoon May 17, 2013 until Monday morning May 20, 2013 to help facilitate traffic departing Field House for SUNY graduation.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

M. RESOLVED: In accordance with the request therefore the Common Council approves Esther Piper from BHSN to hold a “Community Baby Shower” to benefit expecting low-income families at the City Recreation Center on Friday June 28, 2013 from 8am-3pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

N. RESOLVED: In accordance with the request therefore the Common Council approves Contract #2013-02 “Dennis Avenue Improvements; Prospect Avenue – Olivetti Place” be awarded to Steven E. Fuller Excavating for the lump sum price of \$114,750.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

O. RESOLVED: In accordance with the request therefore the Common Council approves Contract #2013-06 “2013 City Street Paving” be awarded to Noel J. Brunell & Son Inc. for the total estimated cost of \$60,896.10.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

P. RESOLVED: In accordance with the request therefore the Common Council approves Contract #2013-11 “Painted Pavement Markings” be awarded to Straight Line Industries Inc. in the total estimated cost of \$53,220.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

Q. RESOLVED: In accordance with the request therefore the Common Council approves Shauna Miller of ETC Housing to hold the “Great Pumpkin Prediction Race” to benefit the Homeless Population Beneficiary Fund at the Crete Civic Center and Plattsburgh City Beach on October 26, 2013.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

R. Authorization for the Mayor to sign agreements with NYSDOT for authorization to install HIDTA LPR (High Intensity Drug Trafficking Area, License Plate Reader) in connection with highway use and construction permits. Authorization for the Mayor to sign form LEE-01, which is an application and permit to install, operate and maintain equipment for law enforcement purposes. The person executing this application on behalf of the Permittee certifies that he has full authority to execute this application, and if the applicant is a Municipal Board, has attached hereto a certified copy of a resolution by such body authorizing this application. He will need to sign three separate copies, a copy of which is on its way to you, and to authorize the Mayor to sign form PERM 32m which is a highway work permit, and to authorize the Mayor to sign form PERM 50, which is the NYSDOT Highway work permit Application agreement.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

S. To Authorize the mayor to sign FORM PERM 1, which is Undertaking for NYSDOT, the Municipality agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee with attached resolution of Approval.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

MEETING ADJOURNED: _____